

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

CONSTANCE ALEXANDER and
PETULA ALEXANDER and DINORAH
WILLIAMS,

Plaintiffs,

v.

STEADFAST INSURANCE COMPANY
(STEADFAST), CLARENDON
AMERICAN INSURANCE COMPANY
(CLARENDON), DEEP SOUTH
SURPLUS OF TEXAS, L.P., and CRC
SCU f/k/a CRUMP INS. SERVICES,

Defendants.

CASE NO. 1:20-CV-38

JURY TRIAL DEMANDED

**PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO FILE REPLY TO DEFENDANT
CRC'S RESPONSE TO PLAINTIFFS' OBJECTION TO MAGISTRATE'S REPORT
AND RECOMMENDATION**

COME NOW Plaintiffs, by and through undersigned counsel, and moves this Court pursuant to Fed. R. Civ. P. 6(b)(1)(A), for a 14-day extension of time up to and including April 11, 2022, to oppose Defendant CRC's Response to Plaintiffs' Objection to Magistrate's Report and Recommendation.

Pursuant to Fed. R. Civ. P. 6(b),

When an act may or must be done within a specified time, the court may, for good cause, extend the time:

- (a) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or
- (b) on motion made after the time has expired if the party failed to act because of excusable neglect

See Fed. R. Civ. P. 6(b)(1)(A).

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Plaintiffs' Reply is due March 28, 2022; therefore, this extension is not being filed after the expiration of the date to respond and may be granted for good cause. This Court has held that "[g]ood cause is understood to mean [a] legally sufficient reason and it reflects the burden placed on a litigant [] to show why a request should be granted or an action excused." *Clarke v. Marriott Int'l, Inc.*, No. CIVILACTION2008086, 2012 WL 2285188, at *2 (D.V.I. June 18, 2012)(internal quotations omitted). Furthermore, "[t]he good cause inquiry focuses on the moving party's duty to show due diligence." *Id.*(citing *Race Tires Am., Inc. v. Hoosier Racing Tire Corp.*, 614 F.3d 57, 84 (3d Cir. 2010)(internal quotations omitted).

Plaintiffs seek an extension for good cause because Plaintiffs' counsel was recently involved in an animal attack that necessitated some time away from her office. As such, Plaintiffs require a brief extension to provide a competent response to the arguments raised in Defendant's Response. Defendant will not be prejudiced by this short delay and has agreed to the extension. Counsel for Defendant CRC was contacted and has no objection to the request for extension.

WHEREFORE, based on the foregoing, Plaintiffs respectfully request that this Court **GRANT** the 14-day extension until April 11, 2023, to file the Reply to the Response to Plaintiffs' Objection to the Report and Recommendation dated March 9, 2023.

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RESPECTFULLY SUBMITTED
LEE J. ROHN AND ASSOCIATES, LLC
Attorneys for Plaintiff

DATED: March 27, 2023

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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on March 27, 2023, I electronically filed the foregoing with the Clerk of the Court using the electronic filing system, which will send a notification of such filing to the following:

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ORDER

THIS MATTER having come before the Court on Plaintiffs' Motion for Extension of Time to file Reply to Defendant CRC'S Response to Plaintiff's' Objection to Magistrate's Report and Recommendation dated March 27, 2023, and the Court having been advised in its premises, it is;

ORDERED that Plaintiff's Motion is **GRANTED**, and further;

SO ORDERED this _____ day of _____ 2023.

The Honorable Judge Malachy A. Manion
of the District Court of the Virgin Islands